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BEFORE THE SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS
HOUSE COMMITTEE ON NATURAL RESOURCES
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Mr. Chairman, Ranking Member, and members of the subcommittee, thank you for the opportunity to testify today regarding the work of the Office of Inspector General (OIG). This hearing, along with the previous hearing before this subcommittee and another recent hearing held by the House Committee on Oversight and Government Reform, helps to highlight the importance of bringing into the public view the role of the OIG as an independent, objective body to investigate matters that ultimately violate public trust. I must emphasize the dedication and hard work of the OIG staff, and give credit to those who produce the results that are the subject of today's hearing.

These recent hearings have also reinforced our focus on analyzing patterns of misconduct, examples of retaliation or intimidation, and systemic failures in management and internal oversight of critical processes within the Department, such as human resources and contract and grant management.

With fewer than 80 investigators, we work with constrained resources to address the ever-increasing complaints and allegations we receive throughout the year from multiple sources. We do so, in part, by capitalizing on a culture at Interior that, for the most part, is populated by individuals who are committed to the mission and doing the right thing. In fact, they are quick to report wrongdoing to the OIG. Just short of 50 percent of our complaints are generated by DOI employees and management. Another 15 percent of our complaints come from anonymous sources, many of which include information known only to DOI employees, so the total percentage is likely higher.

With limited time and resources, our tendency has been to move from case to case without considering cross-cutting impacts or patterns that our investigations uncover. Recently, however, we have begun to look for investigative trends that may illuminate more systemic issues within the Department and its bureaus.

The OIG has established a reputation for fair and thorough investigative and audit work. We are routinely called upon by the Department to conduct independent reviews of suspicious activity or allegations of misconduct. Several of the recent cases giving rise to congressional and media attention were generated by information reported to us by senior Departmental officials. As our reports reflect, however, the source of allegations does not influence the way in which we conduct our work, or report our investigative or audit findings.

While we produce a significant volume of investigative and audit work, in light of our workforce size, we are not always able to transmit and make public our work products as quickly as I would like. We have implemented several internal processes to improve our timeliness without compromising the quality of our work and work products. As you know, we have also implemented a policy of making public essentially all of our investigative reports whether allegations are substantiated or not, as well as some additional audit reports that had not been

published previously. This effort at transparency—something that is unparalleled in the OIG community—has its own challenges. In preparing public versions of these investigative and audit results, we must address grand jury secrecy rules, privacy issues, confidential business and proprietary information protections, and protection of confidential sources. This effort can be quite time consuming, but I believe that the benefit of the resulting transparency is well worth the effort.

As I explained in my testimony for the May 24, 2016 hearing before this subcommittee, we have recently streamlined our process for publishing investigative reports, reducing the time we provide to the Department for review and action from 90 to 30 days, before we provide investigative reports to Congress and publish those reports or summaries on our website. This change provides all of our stakeholders with clear expectations about the public availability of our reports. Since the improved publishing process was implemented, only one report has been delayed to allow the Department of Justice additional time for prosecutorial consideration.

Much of our investigative work includes working with Assistant United States Attorneys and other officials from the Department of Justice (DOJ). We have strong working relationships with many U.S. Attorney's offices, which have resulted in the prosecution of cases throughout the country. An example of this effective working relationship with DOJ is our considerable involvement in the *Deepwater Horizon* task forces—both criminal and civil—which were led by DOJ and resulted in record-setting fines and penalties. We also had great success in the *Guardians* task force, which was led by the U.S. Attorney's Office for the District of Montana, addressing public corruption involving tribal leaders. This model has become a standard for task forces in Indian Country.

We consult with DOJ on all allegations that involve potential criminal violations. A considerable number of these cases do not get prosecuted for any number of appropriate reasons. Other times, a matter may be accepted for consideration for prosecution, but gets delayed due to higher priority cases or other resource limitations. The process of prosecutorial consideration is very deliberate, very detailed, and, at times, completely out of our hands.

OIGs face significant hurdles to get their cases prosecuted. In certain areas of the country, we are presenting white collar crimes that simply do not meet the guidelines of the particular U.S. Attorney's office. We also compete against more notorious crimes, such as human trafficking, murder, drug conspiracies, and other violent crimes. These are among the reasons why some of our cases that we wish would be prosecuted are declined.

I reiterate my thanks to the subcommittee for holding this hearing, for giving these issues the attention they deserve, and for recognizing the need for transparency and accountability in this important area.

This concludes my prepared testimony. I am happy to answer any questions that the members of the subcommittee may have.